

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name. I believe I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below), of the subject matter claimed and for which a patent is sought on the invention entitled:

WATERPROOF/BREATHABLE MOISTURE TRANSFER LINER FOR SNOWBOARDS,
ALPINE BOOTS, HIKING BOOTS AND THE LIKE

the specification of which: (check one) ☐ is attached hereto.

☒ was filed on August 13, 1997

as Application Serial No. 08/910,116

This application is a continuation-in-part of application of Serial No. 08/832,800, filed April 4, 1997, which is a continuation-in-part of application Serial No. 08/747,340, filed November 12, 1996.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information material to examination of this application according to Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application (s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

| | | | Priority Claimed | |
|----------|-----------|------------------------|------------------|-----------|
| (Number) | (Country) | (Day/Month/Year Filed) | [] Yes | [] No |
| | | | [] Yes | [] No |
| | | | [] Yes | [] No |
| | | | [] Yes | [] No |

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

| | | |
|----------------------|---------------|--|
| | | |
| (Application Number) | (Filing Date) | (Status -- patented, pending, abandoned) |
| | | |
| (Application Number) | (Filing Date) | (Status -- patented, pending, abandoned) |

I hereby claim the benefit under Title 35, United States Code, Section 120, of any United States application(s) or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| | | |
|---|--|---|
| <u>08/832,800</u> (Application Serial No.) | <u>April 4, 1997</u> (Filing Date) | <u>Pending</u> (Status) (patented, pending, abandoned) |
| <u>08/747,340</u> (Application Serial No.) | <u>November 12, 1996</u> (Filing Date) | <u>Pending</u> (Status) (patented, pending, abandoned) |
| <u> </u> (Application Serial No.) | <u> </u> (Filing Date) | <u> </u> (Status) (patented, pending, abandoned) |

I hereby appoint the following attorneys/agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith and with any divisional, continuation, continuation-in-part, reissue or re-examination application with full power of appointment and substitution of associate attorneys and agents, and to receive all patents which may issue thereon: Thomas E. Beall, Jr., Reg. No. 22,410; Joseph D. Dreher, Reg. No. 37,123; Christopher B. Fagan, Reg. No. 22,987; Jude A. Fry, Reg. No. 38,340; Jeffrey M. Ketchum, Reg. No. 31,174; Richard M. Klein, Reg. No. 33,000; Thomas E. Kocovsky, Jr., Reg. No. 28,383; Sandra M. Koenig, Reg. No. 33,722; Petar Kraguljac, Reg. No. 38,520; Scott A. McCollister, Reg. No. 33,961; James W. McKee, Reg. No. 26,482; Shrinath Malur, Reg. No. 34,663; John R. Mattingly, Reg. No. 30,293; Richard J. Minnich, Reg. No. 24,175; Jay F. Moldovanyi, Reg. No. 29,678; Philip J. Moy, Reg. No. 31,280; Timothy E. Nauman, Reg. No. 32,283; Sue Ellen Phillips, Reg. No. 32,046; Patrick R. Roche, Reg. No. 29,580; Albert P. Sharpe, III, Reg. No. 19,879; Daniel J. Stanger, Reg. No. 32,846; Eric A. Stephenson, Reg. No. 38,321; Gene W. Stockman, Reg. No. 21,021; Mark S. Svat, Reg. No. 34,261; John C. Tiernan, Reg. No. 21,078; John M. Vasuta, Reg. No. 38,353. Address all correspondence to: FAY, SHARPE, BEALL, FAGAN, MINNICH & McKEE

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☐ [] 1100 Superior Avenue, Suite 700
Cleveland, Ohio 44114 (216) 861-5582

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, Section 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date Dec. 30/98 Inventor Baychar Baychar
(Typed Name and Signature)
Residence Snobrook, 2506 Sugarloaf Mountain, Carrabassett, Maine 04947 Citizenship United States
Post Office Address Same as Residence

- Sep. 19. 1997 10:02AM

FSS

Applicant or Patentee: BaycharSerial or Patent No.: 08/910,116Filed or Issued: August 13, 1997Title: WATERPROOF/BREATHABLE MOISTURE TRANSFER LINER FOR SNOWBOARDS, ALPINE BOOTS, HIKING BOOTS AND THE LIKE

Attorney's

Docket No.: BAY-410VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(n) & 1.27(b))—INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office regarding the invention entitled WATERPROOF/BREATHABLE MOISTURE TRANSFER LINER FOR SNOWBOARDS, ALPINE BOOTS, HIKING BOOTS AND THE LIKE described in:

- ☐ the specification filed herewith.
☒ application serial number 08/910,116, filed AUGUST 13, 1997.
☐ patent number _____, issued _____.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:*

- ☒ No such person, concern, or organization
☐ Persons, concerns or organizations listed below*

* Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

☐ INDIVIDUAL☐ SMALL BUSINESS CONCERN☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL☐ SMALL BUSINESS CONCERN☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL☐ SMALL BUSINESS CONCERN☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Baychar

NAME OF INVENTOR

Signature of inventor

Date

NAME OF INVENTOR

Signature of inventor

Date

NAME OF INVENTOR

Signature of inventor

Date